



Response Under 37 CFR 1.116
Expedited Procedure
Examining Group 1714

PATENTS
Attorney Docket No. GAL/1 CIP

**NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS**

In re application of : Evan Galen et al.
Application No. : 09/872,314 Confirmation No. : 4906
Filed : June 1, 2001
For : OIL AND WATER REPELLENT COMPOSITIONS
AND METHODS OF APPLICATION THEREOF
Group Art Unit : 1714
Examiner : Peter A. Szekely

New York, New York 10020
July 19, 2004

Mail Stop AF
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed February 18, 2004 in which the rejection of claims 1-41 was made final.

[] Applicants respectfully request an oral hearing before the Board of Appeals. The appropriate fee is submitted herewith.

[X] Address all correspondence to:

James F. Haley, Jr.
FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000
Fax: (212) 596-9090

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☒ A check in the amount of ☒ \$165.00 ☐ \$330.00 in payment of the ☒ appeal fee, ☐ appeal and oral hearing fees, is enclosed.

☒ The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

☐ Please charge ☐ \$165.00 ☐ \$330.00 to Deposit Account No. 06-1075 in payment of the ☐ appeal fee, ☐ appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.

EXTENSION FEE

☐ The appropriate fee for a -month extension of time to respond to the final office action was timely paid.

☒ Please grant a two-month extension of time under 37 C.F.R. § 1.136(a) to respond to the February 18, 2004 Final Office Action. With this extension, a Response is due on or before July 19, 2004¹.

☒ The following extension fee is applicable to the Notice of Appeal filed herewith;
☐ \$55.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a);
☒ \$210.00 extension fee for response within the second month pursuant to 37 C.F.R. § 1.136(a); ☐ \$475.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); ☐ \$740.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); ☐ \$1,005.00 extension fee for fifth month pursuant to 37 C.F.R. § 1.136(a).

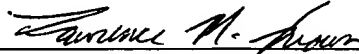
☒ A check in the amount of ☐ \$55.00; ☒ \$210.00; ☐ \$475.00; ☐ \$740.00; ☐ \$1,005.00; in payment of the extension fee is transmitted herewith.

☐ Please charge the ☐ \$55.00; ☐ \$210.00; ☐ \$475.00; ☐ \$740.00; ☐ \$1,005.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

¹ Pursuant to 37 C.F.R. § 1.7, since July 18, 2004 falls on a Sunday, action may be taken on July 19, 2004, which is the succeeding business day.

[X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



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Attorney for Applicants

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